

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

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WALTER KING,

Plaintiff,

ORDER AND CIVIL JUDGMENT
05-CV-2872 (ARR)

-against-

NEW YORK CITY, THE COMMISSIONER
OF THE NYC POLICE DEPARTMENT,
THE COMMISSIONER OF THE NYC
DEPARTMENT OF SOCIAL SERVICES,

Defendants.
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ROSS, United States District Judge:

Plaintiff, appearing *pro se*, filed this action pursuant to 42 U.S.C. § 1983 alleging that defendants violated his civil rights. By order dated July 1, 2005 (the "July order"), plaintiff was directed to file an amended complaint or else the complaint would be dismissed. On his civil cover sheet, plaintiff stated that he resided at 990 Hancock Street in Brooklyn, New York. The Court mailed a copy of the July order to plaintiff, but it was returned to the Court as undeliverable. On August 15, 2005, plaintiff notified the Court that he incorrectly stated his address and that he in fact resided at 900 Hancock Street. The Court re-sent a copy of the July order to plaintiff's address at 900 Hancock Street; however, that mail was also returned to the Court as undeliverable.

Plaintiff has failed to notify the Court whether he has moved to another address and, to date, has not communicated with the Clerk of Court to inquire as to the status of his case. The Court, having made two unsuccessful attempts to mail the July order to plaintiff, hereby treats the instant action as abandoned by plaintiff. See, e.g., Perez v. City of New York, No. 00 Civ. 4359

(LAK), 2000 WL 1585677 (S.D.N.Y. Oct. 24, 2000). Accordingly, it is

ORDERED, ADJUDGED AND DECREED: that the instant complaint is hereby dismissed without prejudice. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: October 15, 2005
Brooklyn, New York

Allyne R. Ross
United States District Judge

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON _____.